

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE FOR SROF-2013-S3 REMIC
TRUST 1,

Case No. 2:15-CV-1121 JCM (NJK)

ORDER

Plaintiff(s),

v.

PREMIER ONE HOLDINGS, INC., et al.,

Defendant(s).

Presently before the court is plaintiff U.S. Bank, National Association's ("U.S. Bank") motion for entry of clerk's default against defendant Premier One Holdings, Inc. ("Premier One"). (Doc. # 21).

U.S. Bank's filing does not include an actual motion for entry of clerk's default. (*See id.*) Instead, U.S. Bank filed only a proposed default form. (*See id.*) The clerk of court filed a notice of attorney action instructing U.S. Bank's counsel to file an affidavit and an appropriate request/motion for entry of default as required by Federal Rule of Civil Procedure ("Rule") 55(a). (Doc. # 22). U.S. Bank then filed a notice of corrected document with a declaration of service attached to the same proposed default form. (*See doc. # 23*). Importantly, the new filing still failed to include an actual motion or request for entry of default. (*See id.*)

On December 1, 2015, the clerk of court again entered a notice of attorney action instructing U.S. Bank to file a notice of corrected document event with an actual motion or request for the entry of default. (Doc. # 25). Since that time, U.S. Bank has not filed a motion or request compliant with Rule 55. The motion is therefore procedurally deficient and will be denied.

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1 Accordingly,

2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff U.S. Bank,
3 National Association's ("U.S. Bank") motion for entry of clerk's default (doc. # 21) be, and the
4 same hereby is, DENIED.

5 DATED February 9, 2016.

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UNITED STATES DISTRICT JUDGE